



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,702	12/19/2001	Andrew Arthur Hunter	30005963-2	7504
7590	04/20/2005		EXAMINER	
			REKSTAD, ERICK J	
			ART UNIT	PAPER NUMBER
			2613	

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/025,702	HUNTER, ANDREW ARTHUR	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 12 November 2004.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-20 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

This is a Final Rejection for application no. 10/025,702 in response to the amendment filed on November 12, 2004 where in claims 1-20 are presented for examination.

Response to Arguments

Applicant's arguments filed November 12, 2004 have been fully considered but they are not persuasive.

In regards to the Applicant's argument related to claims 1-11 and 14, the Applicant states that Jain does not teach the plurality of remote access points. The Applicant further refers to the Specification for the definition of the "access point" recited in claim 1. The Specification states the "access point" is merely a tag for an object (Page 2 Lines 1-8). Where in by accessing the "access point" a user can observe an object (Page 2 Line 24-Page 3 Line10).

As shown in Figure 3, Jain teaches a content-based multimedia information system. Jain specifically teaches the use of the system to track objects, such as a child, using an access point (radio-frequency transmitter) (Col 10 Lines 48-59). Jain further teaches obtaining the objects using cameras and maintaining a database of the objects. The user can then perform queries based on an object or track an object (Col 10 Line 60-Col 11 Line 58). Therefore, from the above citations, it is clear that Jain teaches the use of an access point for tracking an object.

The applicant argues that Jain's multiple objects are different from "a plurality of remote access point, each of which is allotted to a different one or subset of said

plurality of movable subjects or items" as recited in claim 1. As shown above, the radio-frequency transmitter is a remote access point of which is allotted to a different one of said plurality of movable subjects.

The applicant further argues the system of Jain is limited to a single user wherein the applicant claims a "plurality" of users. As shown in the applicant's Figure 1, the system is used by a single user (22). The applicant therefore shows that one user satisfies the requirements for "plurality" as stated in the claims. Further, Jain specifically teaches the use of the system of Figure 3, by multiple users (Col 8 Lines 40-44). Therefore, Jain clearly teaches the requirements of the claim.

In regards to Applicant's arguments related to claims 12, 13, and 15, the Applicant argues that Jain does not teach claim 1 and therefore can not be used to reject claims 12, 13 and 15. As shown above, Jain teaches all the requirements of claim 1 and therefore Applicant's arguments related to claims 12, 13 and 15 are moot. Claims 1-11 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Jain

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-11 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 6,144,375 to Jain et al.

[claim 1]

Jain teaches a tracking system for receiving images from a plurality of cameras, each at one of a plurality of locations at which one or more of a plurality of movable subjects or items may be located, each of said cameras being arranged to capture images at said respective location, (See Jain column 6 lines 32-35 as well as column 8 lines 52-59) the system comprising a plurality of remote access points, each of which is allotted to a different one or subset of said plurality of movable subjects or items, from each of which remote access points images of the movable subject or item to which it is allotted captured by said plurality of cameras can be viewed in real time or near-real time and or recorded, and (Col 10 Lines 16-29 and 39-44, Col 13 Lines 42-48, Col 13 Line 66-Col 14 Line 11, Col 16 Lines 20-24, Figs. 3 and 4) locating apparatus for determining a first location of a movable subject or item, selecting a first camera at said first location and linking the output of said first camera to the remote access point allotted to the said movable subject or item, (Col 10 Lines 48-59.) and for determining Whether said movable subject or item moves from said first location to a second location, selecting a second camera at said second location and linking the output of said second camera to the remote access point allotted to the said movable subject Or item. (Col 11 Lines 45-58)

[claim 2]

Jain further teaches the tracking system according to claim 1, wherein when a remote access point is accessed, the locating apparatus is arranged to search the images being captured by said cameras to determine the locations of the subjects or

Art Unit: 2613

items to which said remote access point is allotted. (See Jain column 11 lines 45-58 as well as column 12 lines 15-19)

[claim 3]

Jain further teaches the tracking system according to claim 1, wherein said locating apparatus is arranged to track the movable subjects or items and selectively link the outputs of the appropriate cameras to the respective remote access points allotted thereto, irrespective of whether or not said remote access points are being accessed. (See Jain column 24 line 63 through column 25 line 7.)

[claim 4]

Jain further teaches the tracking system according to claim 1, comprising a central database containing details of a plurality of subjects or items of interest together with their respective allotted remote access points, and/or details of said camera together with their respective locations. (See column 11 lines 29-44 as well as column 14 lines 13-24)

[claim 5]

Jain further teaches the tacking system according to claim 1, wherein said locating apparatus is arranged to determine the location of a subject or item by identifying a visually recognizable feature thereof in the images captured by said cameras. (See Jain column 10 lines 60 through column 11 line 14)

[claim 6]

Jain further teaches the tracking system according to claim 1 , wherein said subject or item of interest is provided with an electronic tag, and said locating apparatus

is arranged to determine the location of the subject or item of interest by determining the location of the electronic tag. (See column 10 lines 48-59)

[claim 7]

Jain further teaches the tracking system according to claim 1, wherein said locating apparatus is arranged to determine the location of said subject or item of interest and, in the event that there are two or more cameras associated with said location, link the outputs of said two or more cameras to said remote access point. (See Jain column 11 lines 48-53, the view must be present in order to select one of them.)

[claim 8]

Jain further teaches the tracking system according to claim 7, comprising selection apparatus for selecting to view one of said two or more outputs linked to said remote access point. (See Jain Column 11 lines 48-53, as well as column 27 lines 25-30 if a user can select between views, selection apparatus must be present.)

[claim 9]

Jain further teaches the tracking system according to claim 1, comprising apparatus for altering the field of view of the camera whose output is linked to said remote access point and/or comprising apparatus to provide a link to a selected area of modified level of detail of the view. (See column 23 lines 26-30 altering the field of view in interpreted to mean zooming in or out)

[claim 10]

Art Unit: 2613

Jain further teaches the tracking system according to claim 1, wherein said remote access point is accessible only to one or more authorized users. (See column 14 lines 13-24.)

[claim 11]

Jain further teaches the tracking system according to claim 1, comprising recording apparatus for selectively recording the camera output or outputs linked to a remote access point. (See column 22 lines 16-21)

[claim 14]

Jain further teaches the tracking system according to claim 1, comprising an attention controller arranged to monitor the outputs of said plurality of cameras, determine the presence in said outputs of one or more subjects or items of interest and link the camera output or outputs in which said subjects or items are present to the respective remote access points allotted to said subjects or items. (See column 11 lines 45-58)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12, 13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jain as applied to claim 1 above, and further in view of US Patent 6,650,241 to Osborne.

[claim 12]

A tracking system according to claim 1, comprising alarm apparatus arranged to be actuated in the event that a subject or item of interest moves to a location outside a predetermined area. While Jain does not disclose this feature, Osborne does, see Osborne abstract. At the time the invention was made, it was well known in the art that predetermined areas could be monitored for either the presence or absence of items or persons, and that alarms were a useful means of alerting the proper people of a certain situation. Therefore it would have been obvious to one of ordinary skill in the art to actuate an alarm when a subject enters or leaves a predetermined area. One would have been motivated by both the teaching of Jain in column 10 lines 53-55 that a transmitter could be placed on a subject, in this case a child, and Osborne's teaching that it is desirable to electronically monitor the location of each child and draw attention to that child when it enters or leaves a predetermined area. See Osborne column 1 lines 40-47.

[claim 13]

A tracking system according to claim 1, wherein a single remote access point can be used to track two or more subjects or items of interest. (See Jain column 10 lines 48-49, implying that more than one subject can be tracked.)

[claim 15]

A tracking system according to claim 1, wherein in the event that two or more of said plurality of movable subjects or items to which two or more respective access points are allotted are determined by said locating apparatus to be at the same

Art Unit: 2613

locations the output of the camera at that location can be linked to both or all of said two or more respective access points. (See column 5 lines 10-23, Jain clearly had this capability in mind. Furthermore, since Jain's invention is intended for broadcast TV it is understood that if two or more people wanted to view a scene from a given camera, they would be able too.)

Claims 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,720,990 to Walker et al in view of Jain.

[claims 16 and 18]

As shown in Figure 1, Walker teaches the use of multiple access points (300A-300C) connected to a server (200) in order to monitor outputs of a plurality of cameras (100A-100C) (Col 3 Lines 46-54). Walker teaches the system wherein users monitor remote areas (Col 7 Lines 7-22). Walker does not teach the arranging to determine the presence in said outputs of a plurality of different subjects or items of interest.

Jain teaches the determining the presence in said output of a plurality of different subjects or items of interest (spatial region) and selecting the correct camera for viewing of the subject in order to provide the user with the a view of a selected spatial region in a security application (Col 9 Line 43- Col 10 Line 14). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the security system of Walker with the subject detection of Jain in order to provide users with a view of a selected spatial region in a security system.

[claim 17]

Walker further teaches the ability to access through a URL (Col 6 Lines 10-13).

[claims 18 and 19]

As shown in Figure 1, Walker teaches the use of multiple access points (300A-300C) connected to a server (200) in order to monitor outputs of a plurality of cameras (100A-100C) (Col 3 Lines 46-54). Walker teaches the system wherein users monitor remote areas (Col 7 Lines 7-22). Note, the system of Walker is used by multiple users in order to monitor multiple locations (Col 3 Lines 46-54). Walker does not teach the arranging to determine the presence in said outputs of a plurality of different subjects or items of interest.

Jain teaches the determining of objects and the ability of the user to track an object (Col 10 Line 60-Col 11 Line 58, Col 12 Line 15-19). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the monitoring system of Walker with the object tracking method of Jain in order to track an object in a monitored area as required by claims 18 and 19.

[claim 20]

Walker further teaches the use of a URL to link the user to the monitored location (Col 3 Lines 51-54 and Lines 60-63, Col 6 Lines 10-12).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erick Rekstad whose telephone number is 571-272-7338. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Erick Rekstad
Examiner
AU 2613
(571) 272-7338
erick.rekstad@uspto.gov

er


CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600